

BACKGROUND ON THE DAKOTA ACCESS PIPELINE

The Standing Rock Sioux Indian Reservation is home to Dakota and Lakota people of the Standing Rock Sioux Tribe. Since time immemorial, they have lived and governed a vast territory throughout North and South Dakota, and parts of Montana, Wyoming, Minnesota, Iowa and Nebraska. Currently, the Tribe is located in central North and South Dakota.

Despite strong objections from the Tribe from the first time they heard of the project, on July 25, 2016, the U.S. Army Corps of Engineers granted authorization to the Dakota Access Pipeline to cross Lake Oahe as part of the construction of a 1,700 mile pipeline that is proposed to carry over a half-million barrels of Bakken crude oil to Illinois and across four states. The current route of construction takes the pipeline less than one half mile from the Tribe's reservation border, and thus the Tribe maintains a sovereign interest in protecting its cultural resources and patrimony that remain with the land. In addition, all along the route of the pipeline are sites of religious and cultural significance to our people – including burial sites of our ancestors. The pipeline would cross the Tribe's traditional and ancestral lands and the construction of the pipeline jeopardizes many sacred places. But, while federal law requires meaningful consultation with the Tribe on these matters, that has not happened here. The Tribe opposes DAPL because we must honor our ancestors and protect our sacred sites and our precious waters.

Initially, Dakota Access considered two possible routes of construction: a northern route near Bismarck, and the southern route taking the pipeline to the border of the Standing Rock reservation. Federal law requires the U.S. Army Corps of Engineers to review—and ultimately deny or grant—Dakota Access' application for the necessary permits to construct the pipeline because the southern route takes the pipeline across the Missouri River and Lake Oahe, implicating lands and water under federal jurisdiction.

In the initial environmental assessment, the maps utilized by Dakota Access—and reviewed and incorporated by the Army Corps—did not indicate

that the Tribe's lands were within one half mile of the proposed crossing of Lake Oahe. Furthermore, the company selected this route because the route to the north would be near and could jeopardize the drinking water of the residents in the city of Bismarck. The company's initial draft environmental assessment of December 9, 2015 made no mention of the fact that the route they chose brings the pipeline near, and could jeopardize, the drinking water of the Tribe and its citizens. It actually omitted the very existence of the tribe on all maps and any analysis, in direct violation of the US environmental justice policies.

The Standing Rock Sioux Tribe has been actively opposing the permitting and construction of the Dakota Access Pipeline since the Tribe first learned of the proposal in 2014 and the pipeline's proposed construction. The Tribe has voiced its strong opposition to the company, to the federal government, to Congress, and to the State. Yet, the Tribe's plea was ignored and instead the US sided with the project developer. From the beginning, the Tribe's Tribal Historic Preservation Office requested tribal consultation, but their requests were never fulfilled.

The Tribe continued its efforts to engage as many decision-makers as possible and actively oppose the Dakota Access Pipeline. The Tribe submitted several sets of detailed comments to the Corps, met with high level officials in Washington, DC, and communicated on numerous occasions with the North Dakota Congressional delegation over the past few months. The Tribe specifically met with numerous federal agencies to discuss the harm imposed by the pipeline, including: the Environmental Protection Agency, the Department of the Interior, and the Advisory Council on Historic Preservation. All three agencies subsequently wrote letters to the Army Corps expressing environmental and cultural resource concerns related to the pipeline.

The Tribe has filed litigation in federal court in the District of Columbia to challenge the actions of the Corps of Engineers regarding the Dakota Access pipeline. Basically, this is a suit to enforce their federally protected rights and interests. The Corps has failed to follow the law – both regarding the risk of oil spills and the protection of their sacred places. The Tribe is seeking a preliminary injunction to undo the Corps' approval of the pipeline, and there will be a hearing before the Judge on August 24. The Cheyenne River Sioux Tribe has asked to join the lawsuit, and other tribes may also be joining.

Separately, tribal citizens have begun a camp called the Sacred Stone Camp. The Tribe continues to stress the importance of handling this matter in the right

way, which means that non-violence must be the guiding principle at all times. And, the Tribe will do all it can so that the safety of everyone involved is safeguarded and protected.

In addition, Standing Rock youth ages 6 – 25 from the reservation vowed to run to Washington, DC to deliver a petition with 160,000 signatures on change.org opposing the pipeline to the President of the United States. After running for 2,200 miles, they were only able to meet with Army Corps officials, and held several rallies along the way. They returned to the reservation on August 10, 2016.

Several Tribes have passed resolutions in support of Standing Rock, including the Cheyenne River Sioux Tribe, Crow Creek Tribe, the Oglala Sioux Tribe, the Rosebud Sioux Tribe, and others.

To find out how to take action and get involved, please visit www.rezpectourwater.com.